

1 J. Stephen Peek, Esq. (NV Bar #1758)
2 Jerry M. Snyder, Esq. (NV Bar #6830)
3 Adam G. Lang, Esq. (NV Bar #10117)
4 Shane M. Biornstad, Esq. (NV Bar #9972)
5 HOLLAND & HART LLP
6 5441 Kietzke Lane, Second Floor
7 Reno, Nevada 89511
8 Telephone: (775) 327-3000
9 Facsimile: (775) 786-6179
10 speek@hollandhart.com; jsnyder@hollandhart.com;
11 alang@hollandhart.com; sbiornstad@hollandhart.com

12 Reid H. Weingarten, Esq. (D.C. Bar #365893) (Admitted Pro Hac Vice June 15, 2007)
13 Brian M. Heberlig, Esq. (D.C. Bar #455381) (Admitted Pro Hac Vice June 15, 2007)
14 Robert A. Ayers, Esq. (D.C. Bar #488284) (Admitted Pro Hac Vice June 15, 2007)
15 Steptoe & Johnson LLP
16 1330 Connecticut Avenue, N.W.
17 Washington, D.C. 20036-1795
18 Telephone: (202) 429-3000

19 Attorneys for eTreppid Technologies, LLC and Warren Trepp

Holland & Hart LLP
5441 Kietzke Lane, Second Floor
Reno, Nevada 89511

15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 WARREN TREPP,

18 Plaintiff,

Case No. 3:06-CV-00056-BES-VPC
Base File

3:06-cv-00145-PMP-VPC

19 vs.
20 DENNIS MONTGOMERY, BRENDA
21 MONTGOMERY, THE MONTGOMERY
22 FAMILY TRUST, EDRA BLIXSETH,
23 OPSPRING, INC., AND BLXWARE, INC.,

**REQUEST FOR ENTRY OF
JUDGMENT BY CONFESSION**

24 Defendants.
25 _____ /
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27 eTreppid Technologies, L.L.C., Friendly Capital Partners, L.P., Warren Trepp and Jale
28 Trepp (hereinafter referred to collectively as the "eTreppid Parties") hereby file their Request for
Entry of Judgment by Confession. This Request is supported by the following points and
authorities, and all papers and pleadings filed herein.

POINTS AND AUTHORITIES

Under the terms of a September 16, 2008 Settlement Agreement between Warren Trepp, eTreppid Technologies, and Friendly Capital Partners, (the “eTreppid Parties”) on one hand, and Dennis Montgomery, Brenda Montgomery, the Montgomery Family Trust, Edra Blixseth, Opspring, Inc., and Blxware, Inc. (the “Blixseth Parties”), the Blixseth Parties were to pay the sum of \$1,500,000.00 to Friendly Capital Partners on or before December 8, 2009. The Parties agreed that, if the Blixseth Parties failed to make this payment, the eTreppid Parties would be entitled to enter three separate Confessions of Judgment:

- A federal court Confession of Judgment against the Blixseth Parties and in favor of Warren Trepp in the amount of \$5,000,000.00 (the “Trepp Judgment”),
- A federal court Confession of Judgment against the Blixseth Parties and in favor of eTreppid in the amount of \$20,000,000.00, (the “eTreppid Judgment”) and
- A Nevada state court Confession of Judgment against the Blixseth Parties and in favor of Friendly Capital Partners in the amount of \$1,500,000.00 (the “FCP Judgment”).

The Blixseth Parties failed to make the required payment of \$1,500,000.00 on or before February 8, 2008. Accordingly, on December 9, 2008, eTreppid filed the Trepp Judgment (Doc. No. 893) and the eTreppid Judgment (Doc. No. 894) in this Court. The eTreppid Parties hereby

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1 request that pursuant to NRS 17.090 through 17.110 and the terms of these Confessions of
2 Judgment, this Court enter the Trepp Judgment (Doc. No. 893) against the Blixseth Parties.

3 Dated: December 10, 2008.
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5 /s/
6 J. Stephen Peek, Esq. (NV Bar #1758)
7 Jerry M. Snyder, Esq. (NV Bar #6830)
8 Adam G. Lang, Esq. (NV Bar #10117)
9 Shane M. Bjornstad, Esq. (NV Bar #9972)
10 HOLLAND & HART LLP
11 5441 Kietzke Lane, Second Floor
12 Reno, Nevada 89511
13 Telephone: (775) 327-3000
14 Facsimile: (775) 786-6179

15 Reid H. Weingarten, Esq. (D.C. Bar #365893)
16 Brian M. Heberlig, Esq. (D.C. Bar #455381)
17 Robert A. Ayers, Esq. (D.C. Bar #488284)
18 Steptoe & Johnson LLP
19 1330 Connecticut Avenue, N.W.
20 Washington, D.C. 20036-1795
21 Telephone: (202) 429-3000
22 Facsimile: (202) 429-3902

23 *Attorneys for Plaintiff and Cross-Defendant*
24 *eTreppid Technologies, L.L.C. and*
25 *Cross-Defendant Warren Trepp*

26 Holland & Hart LLP
27 5441 Kietzke Lane, Second Floor
28 Reno, Nevada 89511

1 **PROOF OF SERVICE**

2 I, Cynthia L. Kelb, declare:

3 I am employed in the **City of Reno, County of Washoe, State of Nevada**, by the law
4 offices of Holland & Hart LLP. My business address is: **5441 Kietzke Lane, Second Floor,**
5 **Reno, Nevada 89511**. I am over the age of 18 years and not a party to this action. I am readily
familiar with Holland & Hart LLP's practice for collection of mail, delivery of its hand-
deliveries and their process of faxes.

6 On December 10, 2008, I caused the foregoing **REQUEST FOR ENTRY OF**
7 **JUDGMENT BY CONFESSION** to be:

8 X filed electronically with the U.S. District Court and therefore the court's computer
9 system has electronically delivered a copy of the foregoing document to the
following person(s) at the following e-mail addresses:

10 mgunderson@gundersonlaw.com rsunshine@linerlaw.com;
11 Gunderson Law Firm egarofalo@linerlaw.com
12 Mark H. Gunderson, Esq. Randall J. Sunshine, Esq.
13 3895 Warren Way Ellyn S. Garofalo, Esq.
14 Reno, Nevada 89509 Liner Yankelevitz Sunshine & Regenstreif, LLP
15 *Fax No. 775/829-1226* 1100 Glendon Avenue, 14th Floor
16 Carlotta.wells@usdoj.gov Los Angeles, CA 90024-3503
17 Carlotta P. Wells, Esq. *Fax 310/500-3501*
18 Senior Trial Counsel
19 Federal Programs Branch
20 Civil Division – Room 7150
21 U.S. Department of Justice
22 20 Massachusetts Ave., NW
23 P.O. Box 883
24 Washington, DC 20044
25 *Fax No. 202/616-8470* Raphael.gomez@usdoj.gov
26 Greg.addington@usdoj.gov Raphael O. Gomez, Esq.
27 Greg Addington, Esq. Senior Trial Counsel
28 Assistant U.S. Attorney Federal Programs Branch
100 W. Liberty Street, Suite 600 Civil Division – Room 6144
Reno, NV 89501 U.S. Department of Justice
100 W. Liberty Street, Ste. 410 20 Massachusetts Ave., N.W.
Fax No. 784-5181 P.O. Box 883
Washington, DC 20044
Fax 202/616-8470 bpeck@lrlaw.com
Bridget Robb Peck, Esq.
Lewis and Roca, LLP
50 W. Liberty Street, Ste. 410
Reno, Nevada 89501
Fax No. 775-823-2929

1 heather.ristau@bingham.com;
2 roland.tellis@bingham.com;
3 marshall.grossman@bingham.com
4 Heather Ristau, Esq.
5 Roland Tellis, Esq.
6 Marshall B. Grossman, Esq.
7 Bingham McCutchen LLP
8 The Water Garden
9 1620 26th Street, 4th Floor, North Tower
10 Santa Monica, CA 90404
11 *Fax No. 310-907-2000*

1 brohde@rohdelaw.com
2 Robert E. Rohde, Esq.
3 Rohde & Van Kampen
4 1001 Fourth Avenue, Suite 4050
5 Seattle, Washington 98154
6 *Fax No. (206) 405-2825*

7
8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing is true and correct, and that this declaration was executed on December 10, 2008.

10 _____/s/
11 Cynthia L. Kelb

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Holland & Hart LLP
5441 Kietzke Lane, Second Floor
Reno, Nevada 89511